

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SECTRA COMMUNICATIONS AB,

Plaintiff,

v.

ABSOLUTE SOFTWARE, INC. and
NETMOTION SOFTWARE, INC.,
Defendants.

Case No. 2:22-cv-0353-RSM

**STIPULATION AND ORDER
REGARDING NOTING DATE AND
BRIEFING FOR DEFENDANT
NETMOTION SOFTWARE, INC.'S
MOTION FOR LEAVE TO AMEND
COUNTERCLAIM DEADLINES**

NOTE ON MOTION CALENDAR:

JANUARY 3, 2023

**STIPULATION RE BRIEFING AND NOTING
DATE OF MOTION FOR LEAVE TO
AMEND** Case No. 2:22-cv-0353-RSM

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1 The parties to the above-captioned action (the “Parties”), submit the below stipulation
 2 pursuant to Local Civil Rule 7(*l*) for review and approval by the Court:

3 **WHEREAS**, the Parties have engaged in good-faith meet-and-confer discussions
 4 regarding jurisdictional discovery in connection with Defendant NetMotion Software Inc.’s
 5 (“NetMotion”) Motion for Leave to Amend Counterclaim (Dkt. No. 99) (the “Motion for
 6 Leave”) and the case contentions and claim construction deadlines, and have reached mutual
 7 agreement that certain adjustments to the case schedule are necessary to support both any
 8 required jurisdictional discovery and the effects of any discovery upon the issues in suit, and the
 9 Parties agree that the following modifications will best accomplish these goals;

10 **WHEREAS**, Plaintiff Sectra Communications AB (“Sectra”) filed a declaration from
 11 Sectra Inc. employee Tobias Englund in support of Sectra’s opposition to the Motion for Leave
 12 (Dkt. No. 102-1);

13 **WHEREAS**, Sectra has agreed to make its declarant Tobias Englund available for
 14 deposition should the Court grant NetMotion’s requested jurisdictional discovery;

15 **WHEREAS**, NetMotion has filed a Motion in the Alternative to Seek Jurisdictional
 16 Discovery (Dkt. No. 109) (the “Motion for Jurisdictional Discovery”), which Sectra has opposed
 17 (Dkt. No. 113);

18 **WHEREAS**, with the filing of NetMotion’s Reply (Dkt. No. 117), NetMotion’s Motion
 19 for Jurisdictional Discovery is fully briefed, with a noting date of October 7, 2022; however, the
 20 Court has yet to rule on the motion for jurisdictional discovery;

21 **WHEREAS**, jurisdictional discovery, if allowed, may impact the deposition of Mr.
 22 Englund;

23 **WHEREAS**, Mr. Englund’s deposition, and jurisdictional discovery if allowed, may be
 24 relevant to NetMotion’s pending Motion for Leave;

25 **WHEREAS**, to address any relevance of jurisdictional discovery and any Englund
 26

1 deposition on NetMotion's Motion for Leave, the Parties have agreed that the deadline for
2 NetMotion's supplemental reply brief in support of the Motion for Leave should be extended
3 further from January 9, 2023 (Dkt. No. 127) to January 30, 2023, and the deadline for Sectra's
4 sur-reply brief in opposition to the Motion for Leave should be extended further from January
5 17, 2023 (Dkt. No. 127) to February 7, 2023; and

6 **WHEREAS**, to allow additional time for the Court to consider NetMotion's Motion for
7 Jurisdictional Discovery before scheduling any deposition of Mr. Englund, the Parties agree that
8 the Noting Date on NetMotion's Motion for Leave should be extended from January 17, 2023
9 (Dkt. No. 127) to February 7, 2023.

10 **THEREFORE**, the Parties hereby **STIPULATE** that the noting date on Defendant
11 NetMotion Software Inc.'s motion for leave to amend be extended to February 7, 2023; that the
12 deadline for NetMotion's supplemental reply brief in support of the motion for leave to amend
13 be extended to January 30, 2023; and that the deadline for Sectra's sur-reply brief in opposition
14 to the motion for leave to amend be extended to February 7, 2023;

15 **SO STIPULATED.**

16 DATED this 3rd day of January, 2023.
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Respectfully submitted,

COOLEY LLP

/s/ Christopher B. Durbin

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IT IS SO ORDERED.

DATED this 4th day of January, 2023.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE